### The Minutes

# **September 16, 2002**

**AMENDED** 

At 9:32 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Acting Presiding Justice Blease; Associate Justice Davis; Associate Justice Callahan; and Rios, Bailiff. Calendar Called.

# C036740 C037794

# HEAGERTY et al. v. COUNTY OF PLACER and CALDWELL HEAGERTY et al. v. COUNTY OF PLACER et al. and CALDWELL

Cause called. Michael Graf argued for appellants. Thomas N. Lippe appeared only. Gregg R. Lien argued for intervenor-respondent. Scott H. Finley, County Counsel, argued for defendant-respondent. Cause submitted.

At 10:08 a.m., the court recessed. At 10:13 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Raye, and Associate Justice Callahan.

### C036734

### THE PEOPLE v. FORSTEIN et al.

Cause called. Janice M. Lagerlof, court appointed counsel, argued for appellant Stringer. No appearance was made on behalf of appellants Forstein and Howard as argument was previously waived and approved. David A. Rhodes, Deputy Attorney General, argued for respondent. Both parties were ordered to submit concurrent letter briefs regarding error in abstract by Wednesday, September 25, 2002. Submission deferred.

At 10:43 a.m., the court recessed. At 10:48 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims, and Associate Justice Morrison.

### C038275

# JAXON ENTERPRISES v. DEPARTMENT OF TRANSPORTATION and TIDEWATER CONTRACTORS, INC.

Cause called. Jennifer Dauer argued for appellant. John K. Hoxie argued for respondent. Eileen M. Diepenbrock argued for real party in interest. Cause submitted.

At 11:14 a.m., the court recessed. At 11:18 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Raye, and Associate Justice Kolkey.

### C038359

# ROYCE INTERNATIONAL BROADCASTING CORPORATION, etc., et al. v. KALIL & COMPANY, INC.

Cause called. Michael W. McCann argued for appellants. Todd M. Noonan argued for respondent. Cause submitted.

At 11:48 a.m., the court recessed. At 2:01 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Davis, and Associate Justice Kolkey.

### The Minutes

# September 16, 2002, continued

# C037399 MILLER et al. v. STATE OF CALIFORNIA et al. and FREMONT COMPENSATION INSURANCE

Cause called. Andrew N. Chang argued for appellants. Kevin M. Corrington argued for respondents and submitted additional citations. Cause submitted.

At 2:39 p.m., the court recessed. At 2:41 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Morrison, and Associate Justice Robie.

# C038035 OLIVEIRA, etc., et al. v. POLLOCK PINES ELEMENTARY SCHOOL DISTRICT

Cause called. John M. Laplante argued for appellant. Roger A. Dreyer argued for respondents. Cause submitted.

At 2:59 p.m., the court recessed. At 3:01 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims, and Associate Justice Robie.

# C038494 MOOSA v. STATE PERSONNEL BOARD and CALIFORNIA STATE UNIVERSITY, CHICO

Cause called. Brendon T. Ishikawa argued for appellant. Elise Rose made no appearance for defendant-respondent. Karen Linnea Robinson argued for real party in interest-respondent. Cause submitted.

At 3:26 p.m., the court recessed. At 3:32 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Davis, and Associate Justice Morrison.

# C039290 PATRICIA ADKINS INSURANCE AGENCY, INC., et al. v. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY et al.

Cause called. William P. Tedards argued for appellants. George A. Yuhas argued for respondents and submitted additional citations. Cause submitted.

At 4:07 p.m., the court recessed. At 4:10 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Raye, and Associate Justice Kolkey.

# C038061 MORRISON CREEK MINING OPPOSITION v. COUNTY OF SACRAMENTO and GRANITE CONSTRUCTION CO., INC., et al.

Cause called. Kelly Theodore Smith argued for appellant. James G. Moose argued for respondents Granite and County of Sacramento. John M. Taylor argued for respondent Teichert. Cause submitted.

At 4:41 p.m., the court recessed until 9:30 a.m., Tuesday, September 17, 2002.

### The Minutes

# September 16, 2002, continued

C037233 THE PEOPLE v. MITCHELL (Not for Publication)

The judgment is affirmed.

NICHOLSON, J.

We concur: Scotland, P.J.

Kolkey, J.

C038399 THE PEOPLE v. ROGERS, JR. (Not for Publication)

The judgment is affirmed.

ROBIE, J.

I concur: Nicholson, J.

I concur in the opinion with the exception of part IV, where I concur in the result:

Sims, Acting P.J.

C039521 THE PEOPLE v. CROSS (Not for Publication)

The order modifying defendant's probation is reversed and the case is remanded to the trial court to determine whether to require defendant to participate in a drug treatment program as an additional condition of probation.

ROBIE, J.

We concur: Blease, Acting P.J.

Nicholson, J.

C040395 THE PEOPLE v. BENTLY (Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Scotland, P.J.

Hull, J.

C039872 WILSON, et al. v. FARMERS INSURANCE EXCHANGE

(Not for Publication)

The judgment is affirmed. Farmers shall recover its costs on appeal. (Cal. Rules of Court, rule 26(a) (1).)

ROBIE, J.

We concur: Davis, Acting P.J.

Morrison, J.

C036956 In re N.R.; THE PEOPLE v. N.R. (Not for Publication)

The judgment is modified by striking the imposition of the \$150 fine imposed by the Nevada court. As modified, the judgment is affirmed. The juvenile court is directed to amend its records to reflect this modification and to forward a copy of the amended order of commitment to the Director of the California Youth Authority.

RAYE, J.

We concur: Scotland, P.J.

Davis, J.

# The Minutes

# **September 17, 2002**

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Presiding Justice Scotland, Associate Justice Raye, Associate Justice Hull, and Guzman, Bailiff. Calendar Called.

# C037044 DICK v. PACIFIC HEIGHTS TOWNHOUSES et al. and HUBER PROPERTY MANAGEMENT

Cause called. Roberta L. Franklin argued for appellant. Melissa Blair Aliotti argued for respondents. Cause submitted.

At 10:05 a.m., the court recessed. At 10:09 a.m., the court reconvened with Presiding Justice Scotland, Associate Justice Hull, and Associate Justice Robie.

### C038452 THE PEOPLE v. SIMS

Cause called. Victoria H. Stafford, court appointed counsel, argued for appellant. David A. Rhodes, Deputy Attorney General, argued for respondent. Cause submitted.

#### C039079 THE PEOPLE v. ANGUAY

Cause called. Matthew Chan, Deputy Attorney General, argued for appellant. Bret E. Bandley argued for respondent. John L. Sage appeared only. Cause submitted.

At 10:39 a.m., the court recessed. At 10:44 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Morrison, and Associate Justice Hull.

# C038138 THE PEOPLE v. BABCOCK, SR.

Cause called. Hilda Scheib, court appointed counsel, argued for appellant. Matthew Chan, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:03 a.m., the court recessed. At 2:00 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Blease, and Associate Justice Raye.

# C037702 THE PEOPLE v. GOMEZ C037996 THE PEOPLE v. NUNEZ

Cause called. Barbara Michel, court appointed counsel, argued for appellant Gomez. No appearance was made on behalf of appellant Nunez as argument was previously waived and approved. Janet Neeley, Deputy Attorney General, argued for respondent. Peter H. Smith, Deputy Attorney General, made no appearance for respondent as argument was previously waived and approved. Cause submitted.

### The Minutes

# September 17, 2002, continued

At 2:23 p.m., the court recessed. At 2:26 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Raye, and Associate Justice Kolkey.

### C037628 KELLOGG et al. v. GARCIA et al.

Cause called. Kenneth Foley argued for appellants and submitted additional citations. David StevenThomas argued for respondents. Cause submitted.

At 2:59 p.m., the court recessed. At 3:04 p.m., the court reconvened with Acting Presiding Justice Nicholson, Associate Justice Morrison, and Associate Justice Hull.

# C039473 QUILICI v. BURKHART

Cause called. Garrett Burkhart, argued for himself in pro per as appellant. Diana L. Quilici, argued for herself in pro per as respondent. Cause submitted.

# C039086 THE PEOPLE v. HOLBERT

Cause called. Richard M. Doctoroff, court appointed counsel, argued for appellant. Susan J. Orton, Deputy Attorney General, argued for respondent and submitted additional citations. Cause submitted.

At 4:28 p.m., the court recessed until 9:30 a.m., Wednesday, September 18, 2002.

# CO38592 THE PEOPLE v. TATUM (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We concur: Sims, J.

Robie, J.

# CO39423 THE PEOPLE v. DUCKETT (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: Nicholson, J.

Kolkey, J.

# C039885 THE PEOPLE v. CARTER (Not for Publication)

The judgment is affirmed. The trial court is directed to (1) amend the abstract of judgment to reflect that the 3-year term imposed for the section 288a, subdivision (b) (2), conviction is the principal term and that the 16-year term imposed for the section 288.5 conviction is the full, consecutive term, and (2) send a certified copy of the amended abstract to the Department of Corrections.

SCOTLAND, P.J.

We concur: Sims. J.

Robie, J.

### The Minutes

# September 17, 2002, continued

# C038354 In re DAVID K.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. SANDRA K. (Not for Publication)

The dispositional order removing the minor from appellant's home is reversed. The trial court is directed to conduct another dispositional hearing in accordance with the principles expressed herein. The judgment as to the jurisdictional order is affirmed.

DAVIS. J.

We concur: Sims, Acting P.J.

Callahan, J.

# C040745 In re NICHOLAS A.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. SALINA V.

The juvenile court's order is affirmed.

KOLKEY, J.

We concur: Scotland, P.J.

Davis, J.

### C036945 OLIVIERA-STANTON v. TRANSAMERICA MORTGAGE COMPANY

BY THE COURT:

Appellant's petition for rehearing is denied.

SIMS, Acting P.J.

# **September 18, 2002**

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Associate Justice Sims, Associate Justice Morrison, and Facey, Bailiff. Presiding Justice Scotland was not present. Calendar called.

# C038199 THE PEOPLE v. WHITEBEAR

Cause called. All counsel orally stipulated that Presiding Justice Scotland could participate by cassette tape. Linnea M. Johnson, court appointed counsel, argued for appellant. Raymond L. Brosterhous II, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:50 a.m., the court recessed. At 9:55 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Morrison, and Associate Justice Callahan.

# C037931 In re KARISSA S.; SHASTA COUNTY DEPARTMENT OF SOCIAL SERVICES v. RAQUEL S.

Cause called. Larry P. Schapiro, court appointed counsel, argued for appellant. David M. Yorton, Jr., County Counsel, argued for respondent. Cause submitted.

### The Minutes

# September 18, 2002, continued

At 10:34 a.m., the court recessed. At 2:00 p.m., the court reconvened with Associate Justice Sims and Associate Justice Morrison. Presiding Justice Scotland was not present.

### C037717 THE PEOPLE v. BILLA

Cause called. All counsel orally stipulated that Presiding Justice Scotland could participate by cassette tape. Scott Concklin, court appointed counsel, argued for appellant. David Andrew Eldridge, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:25 p.m., the court recessed. At 2:29 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Callahan, and Associate Justice Robie.

# C036184 CITY OF LINCOLN v. BARRINGER et al.

Cause called. Hodge L. Dolle, Jr. argued for appellant. Thomas M. Garcin appeared only. Daniel R. Martinez argued for respondents. Cause submitted.

At 2:50 p.m., the court recessed. At 2:51 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Callahan, and Associate Justice Robie.

# C038913 LOPEZ v. GOURLEY, as Director of Department of Motor Vehicles

Cause called. Robert J. Zernich argued for appellant. Karin L. Polli, Deputy Attorney General, argued for respondent. Cause submitted.

At 3:25 p.m., the court recessed until 9:30 a.m., Thursday, September 19, 2002.

# C039988 THE PEOPLE v. MURAIRA (Not for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We concur: Rave, J.

Morrison, J.

# C040250 THE PEOPLE v. ROBERTS (Not for Publication)

The judgment is modified to prohibit all visitation between defendant and the victim, Felicia S., in conformance with section 1202.05. The order that defendant have "no contact" with the victim or her family is stricken. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect this modification and to send a certified copy of the amended abstract to the Department of Corrections.

SIMS, Acting P.J.

We concur: Raye, J.

Morrison, J.

### The Minutes

# September 18, 2002, continued

C040531 THE PEOPLE v. BLANTON (Not for Publication)

The judgment is modified by imposing a \$50 laboratory analysis fee pursuant to Health and Safety Code section 11372.5, a \$50 penalty assessment pursuant to section 1464, and a \$35 penalty assessment pursuant to Government Code section 76000. The trial court shall prepare an amended abstract of judgment showing the modifications and shall forward a certified copy of the same to the Department of Corrections. As modified, the judgment is affirmed.

SIMS, Acting P.J.

We concur: Morrison, J.

Kolkey, J.

C039331 BARFIELD et al. v. PRICE (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: Davis, J.

Morrison, J.

C039416 ZENITH COMMUNICATIONS CORPORATION INTERNATIONAL BROADCASTING COMPANY v. FIVE STAR WASH AND LUBE

(Not for Publication)

The October 11, 2000, and March 28, 2001, orders of the trial court awarding sanctions to Five Star are affirmed. Costs on appeal are awarded to Five Star.

NICHOLSON, Acting P.J.

We concur: Morrison, J.

Hull, J.

C036377 In re MURPHY J., JR. et al.; CHILDREN'S SERVICES DIVISION v.

MURPHY J., SR.

(Not for Publication)

The July 10, 2000, order is affirmed.

SIMS, Acting P.J.

We concur: Morrison, J.

Hull, J.

C039695 In re DUSTIN N.; THE PEOPLE v. DUSTIN N.

(Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: Davis, J.

Morrison, J.

### The Minutes

# **September 19, 2002**

CO37022 THE PEOPLE v. TOR

(Not for Publication)

Defendant's convictions on counts 7, 8 and 9 are reversed and the counts are ordered dismissed. The matter is remanded to the trial court for resentencing. In all other respects, the judgment is affirmed.

HULL, J.

We concur: Blease, Acting P.J.

Davis. J.

C039880 THE PEOPLE v. NORTHINGTON

(Not for Publication)

The judgment is affirmed.

KOLKEY, J.

We concur: Sims, Acting P.J.

Morrison, J.

C040334

THE PEOPLE v. BAKER (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We concur: Blease, Acting P.J.

Hull, J.

C033237 C034598 ADAMS v. GRANT JOINT UNION HIGH SCHOOL DISTRICT et al. (Not for Publication)

The judgment of dismissal and the judgment awarding costs and attorney fees are reversed. The matter is remanded to the trial court for further proceedings consistent with the views expressed in this opinion. Plaintiff is awarded costs on appeal.

HULL, J.

We concur: Blease, Acting P.J.

Davis, J.

CO39415

In re S.W.; BUTTE COUNTY CHILD PROTECTIVE SERVICES v. C.W. et al. and P.B. (Not for Publication)

The order is affirmed.

HULL. J.

We concur: Scotland, P.J.

Sims, J.

C040912

In re PORSHIA S. et al.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. STEPHEN S. (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Sims, Acting P.J.

Callahan, J.

# The Minutes

# September 19, 2002, continued

# C034784 ALCALA v. AUBURN AREA RECREATION AND PARK DISTRICT et al. BY THE COURT:

The contempt proceedings against Raymond A. Mills and Pete Alcala came on regularly for hearing on this date pursuant to the order to show cause issued on April 26, 2002. The proceedings were bifurcated and hearing proceeded against Mr. Mills, who testified under oath. Upon consideration of evidence and argument, the court determined that Mr. Mills does not have the present ability to comply with the order of sanctions payable to this court and did not have such ability at the time the order was made. Accordingly, Mr. Mills is adjudged not guilty of contempt.

The order to show cause previously issued by this court is discharged as to both Raymond A. Mills and Pete Alcala, without prejudice to reissuance upon a change of financial circumstances.

Raymond A. Mills is ordered to complete a current financial declaration and file the same with this court between March 1, 2003 and March 19, 2003. A copy of the declaration is attached to this order. He is further ordered to provide Pete Alcala with copies of all documents in his possession pertaining to Pete Alcala v. Auburn Area Recreation and Park District et al., case No. C034784, on or before October 1, 2002. Willful failure to comply with this order is punishable as contempt.

RAYE, Acting P.J.

# C039566

# In re KEYANA G. et al.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. TIFFINEY T. and EVELYN H.

BY THE COURT:

Appellant Evelyn H.'s petition for rehearing is denied.

BLEASE, Acting P.J.

#### C039566

# In re KEYANA G. et al.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. TIFFINEY T. and EVELYN H.

BY THE COURT:

Appellant Tiffiney T.'s petition for rehearing is denied.

BLEASE, Acting P.J.

# **September 20, 2002**

At 9:31 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Acting Presiding Justice Davis, Associate Justice Nicholson, Associate Justice Hull and Guzman, Bailiff. Calendar Called.

#### C034625

#### RIEGER v. ARNOLD, etc. et al.

Coassass Cause called. James Geagan argued for appellant. Clayton W. Kent appeared only. Leslie M. Mitchell argued for respondents. Cause submitted.

### The Minutes

# September 20, 2002, continued

#### C036627 BENNETT v. WOMACK

Cause called. Robert Scott Kennard argued for appellant. Timothy W. Pemberton argued for respondent. Cause submitted.

At 11:05 a.m., the court recessed. At 11:11 a.m., the court reconvened with Acting Presiding Justice Hull, Associate Justice Kolkey, and Associate Justice Robie.

### C034381 BROWN v. REGENTS OF THE UNIVERSITY OF CALIFORNIA

# **C035554** C

Cause called. Martin Blake argued for appellant. Barbara S. Perry argued for respondent. Cause submitted.

At 11:48 a.m., the court recessed. At 2:04 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Morrison, and Associate Justice Hull.

# C038515 THE PEOPLE v. HOLSOME

Cause called. Robert K. Gezi, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:08 p.m., the court recessed. At 2:14 p.m., the court reconvened with Acting Presiding Justice Davis, Associate Justice Morrison, and Associate Justice Kolkey.

# C038747 In re TICHINA S.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. LESLIE H.

Cause called. Leslie H. argued for herself in pro per as appellant. Laloni A. Montgomery argued for respondent. Cause submitted.

At 2:20 p.m., the court recessed. At 2:25 p.m., the court reconvened with Acting Presiding Justice Davis, Associate Justice Morrison, and Associate Justice Callahan.

# C038844 COMMUNITIES FOR A BETTER ENVIRONMENT et al. v. CALIFORNIA RESOURCES AGENCY and CALIFORNIA BUILDING INDUSTRY ASSOCIATION.

Cause called. Edward J. Casey argued for intervenor-appellant. Ellison Folk argued for plaintiffs-respondents and submitted additional citations. Marian E. Moe, Deputy Attorney General, argued for defendant-respondent. Cause submitted.

At 3:20 p.m., the court recessed. At 3:24 p.m., the court reconvened with Acting Presiding Justice Davis. Associate Justice Rave. and Associate Justice Callahan.

### The Minutes

# September 20, 2002, continued

# C037440 COUNTY OF SACRAMENTO v. GARABEDIAN

Cause called. Michael Garabedian argued in pro per for himself as appellant. Jay R. Simmons, District Attorney, argued for respondent. Cause submitted.

At 3:48 p.m., the court recessed until 9:30 a.m., Monday October 21, 2002.

### C040938 THE PEOPLE v. EYRICK

(Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Scotland, P.J.

Nicholson, J.

# C037153 C038281

# SYKORA et al. v. DeMARIA et al. and RED INK MINING COMPANY, L.L.C. RED INK MINING COMPANY, L.L.C. v. DeMARIA et al.

(Not for Publication)

That portion of the judgment delaying the partition sale until the conclusion of the 50-year lease is reversed and the cause remanded to the trial court for further proceedings consistent with this opinion. In all other respects the judgment is affirmed. The order after status conference filed March 1, 2001, from which RIM filed a notice of appeal but did not challenge in its briefs, is also affirmed. The parties shall bear their own costs.

CALLAHAN, J.

We concur: Scotland, P.J.

Morrison, J.

# C037269 C037743

# BECKMAN et al. v. COUNTY OF EL DORADO

#### (Not for Publication)

The judgment of dismissal in favor of the County is affirmed. However, the postjudgment order awarding the County attorney fees under section 1038 is reversed. The matter is remanded to the trial court with directions to enter a new order denying the County's attorney fee request and to enter a new judgment excluding the award of such fees. The parties shall bear their own costs on appeal.

HULL, J.

We concur: Blease, Acting P.J.

Nicholson, J.

# C037691

# HINOJOSA v. SACRAMENTO CITY UNIFIED SCHOOL DISTRICT et al. (Not for Publication)

The judgment is affirmed.

DAVIS, J.

We concur: Blease, Acting P.J.

Hull, J.

### The Minutes

# September 20, 2002, continued

C038408 REGIONAL PARKING, INC., et al. v. DEPARTMENT OF MOTOR

VEHICLES et al. (Certified for Publication))

The judgment is reversed. DMV shall recover its costs on appeal.

MORRISON, J.

We concur: Blease, Acting P.J.

Nicholson, J.

C039476 SHERRY v. ROSEVILLE TELEPHONE COMPANY et al.

(Not for Publication)

The judgment is affirmed.

MORRISON, J.

We concur: Scotland, P.J.

Callahan, J.

C040449 In re TIFFANY N. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. ANGELA N. (Not for Publication)

The order terminating appellant's parental rights as to Trevor is vacated. The matter is remanded for proceedings consistent with this opinion, including a new section 366.26 hearing at which the juvenile court must consider the statutory exceptions to adoption we have discussed. The court also must make the finding required by statute regarding the reason termination of parental rights would be detrimental as to Tiffany, and modify the guardianship order accordingly.

CALLAHAN, J.

We concur: Sims, Acting P.J.

Morrison, J.

C040537 In re BRENT F. et al.; BUTTE COUNTY DEPARTMENT OF SOCIAL WELFARE v. SHANNON M. (Not for Publication)

The order of the juvenile court terminating the parental rights of appellant is

affirmed.

CALLAHAN, J.

We concur: Sims, Acting P.J.

Morrison, J.

CO38045 THE PEOPLE v. ALCARAZ

BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.